

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MICHAEL T. MCLAUGHLIN,

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Plaintiff,

Case No.: 2:18-cv-01562-GMN-EJY

VS.

NDOC, *et al.*,

Defendants.

ORDER

Pending before the Court is the Report and Recommendation (“R&R”) of United States
District Judge Elayna Youchah, (ECF No. 26), which recommends that Plaintiff Michael T.
Loughlin’s official capacity, injunctive relief, and Eighth Amendment claims be dismissed
without prejudice as futile.

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); v. R. IB 3-2. Upon the filing of such objections, the Court must make a de novo examination of those portions to which objections are made. *Id.* The Court may accept, reject, modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. S.C. § 636(b)(1); D. Nev. IB 3-2(b). Where a party fails to object, however, the Court is required to conduct “any review at all . . . of any issue that is not the subject of an action.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge’s report and recommendation where no objections have been filed. *See, e.g., United States v. Reyna-Tapia*, 328 F.3d 1114, (9th Cir. 2003).

Here, no objections were filed, and the deadline to do so, July 7, 2020, has passed. (Min.

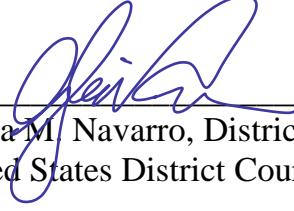
1 Order, ECF No. 26).

2 Accordingly,

3 **IT IS HEREBY ORDERED** that the Report and Recommendation, (ECF No. 26), is
4 **ACCEPTED AND ADOPTED in full.**

5 **IT IS FURTHER ORDERED** that Plaintiff's official capacity, injunctive relief, and
6 Eighth Amendment claims are **DISMISSED with prejudice**.

7 **DATED** this 8 day of July, 2020.

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Gloria M. Navarro, District Judge
United States District Court

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